

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Advanced Television Systems)	MB Docket No. 87-268
And Their Impact upon the)	
Existing Television Broadcast Service)	

To: Marlene H. Dortch, Secretary
Office of the Secretary

ATTN: The Commission

COMMENTS

1. Diversified Broadcasting, Inc. ("Diversified"), licensee of WCJB-DT, Gainesville, Florida, Facility ID 16993, respectfully submits these Comments to request that the Commission revise the information regarding WCJB-DT to be included in the Proposed DTV Table of Allotments Information, as set forth in Appendix B of the Seventh FNPRM¹ in the above referenced docket. Diversified requests that the Proposed DTV Table of Allotments Information be revised to include the facilities as authorized by construction permit BMPCDT-20060707AFH (the "STA Permit"). See Attachment A.

2. As the Commission noted in the Seventh FNPRM, Diversified filed a waiver of the Form 381 filing deadline,² with the hope to certify that WCJB-DT would operate with its

¹ *Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service, Seventh Further Notice of Proposed Rule Making*, 21 FCC Rcd 12100, FCC 06-150, MB Docket No. 87-268, Appendix B, pg. 60 (2006) (the "Seventh FNPRM").

² See the Seventh FNPRM, at fn 60.

maximized facilities.³ However, Diversified now seeks to license its current digital facilities, which were originally authorized pursuant to a request for Special Temporary Authority ("STA") and are now authorized in the STA Permit.

3. Diversified sought a waiver of the November 5, 2004, Form 381 filing deadline as its digital maximization application was pending as of that date. *See* BPCDT-19991101AGS (the "Maximization Application"). The Maximization Application was pending due to a mutually exclusive NTSC proposal for a noncommercial educational station on channel 16 at Marianna, Florida. *See* BPET-19960724KO (the "NCE Proposal"). The NCE Proposal had been dismissed, clearing the way for the Maximization Application to be granted; however, the application was not granted by the Form 381 filing deadline.

4. Form 381 did not provide for an applicant to certify to a pending application. Therefore, Diversified could not certify that it would operate pursuant to the Maximization Application. Diversified was forced to certify on the Form 381 that it would operate WCJB-DT with its replication facilities post-digital transition. *See* BCERCT-20041105BCM. The waiver was requested so that WCJB-DT's maximized facilities would be protected until the Maximization Application was granted.

5. After the Maximization Application was granted (the "Maximization Permit"), Diversified sought and received an STA to operate WCJB-DT with facilities that were "less" than the station's maximized facilities, but "greater" than its replication facilities in order to bring promptly digital service to its viewers. *See* BDSTA-20050803ADT (the "2005 STA"). The

³ *See* November 5, 2004 e-mail from Nathaniel J. Hardy, counsel to Diversified, sent to form381@fcc.gov (the "November 5th E-mail"). A copy of this e-mail message is attached hereto as Attachment B.

station has continued to operate pursuant to the 2005 STA and a request to extend the authorization is pending before the Commission. *See* BEDSTA-20060630AHH.

6. Although Diversified desired to pursue the Maximization Application, it filed an application for the STA Permit as was required by the Commission to comply with the Use-It-Or-Lose-It deadline.⁴ The STA Permit was granted on October 10, 2006.

7. Diversified has come to the conclusion that it is in the public interest to finalize the facilities for WCJB-DT with which it is now operating and has been operating since the STA was granted on August 30, 2005. Diversified now seeks to have the facilities as set forth in the STA Permit memorialized in the proposed final DTV table. Such a revision in the Proposed DTV Table of Allotments Information as proposed herein would neither strain the Commission's resources nor injure other digital television licensees who depend upon a stable information source on which to base their decisions.

8. The Commission issued a construction permit for "greater" facilities (the Maximization Permit) and a construction permit for the STA facilities (the STA Permit). Therefore, a revision to the Proposed DTV Table of Allotments Information would be ministerial in this case and would not present the Commission with any new parameters that would need to be reviewed. Diversified has operated with the STA Permit facilities since the 2005 STA was granted, so other licensees have been on notice that they must protect at least the STA facilities since that time.

9. If the Commission were to protect the STA facilities by including them in the final DTV table, Diversified would dismiss the Extension Request and return the Maximization

⁴ *See* the STA Permit. Simultaneously with the submission of the application for the STA Permit, Diversified submitted a request to extend the construction permit for WCJB-DT's maximized permit. *See* BEPCDT-20060707AFK (the "Extension Request").

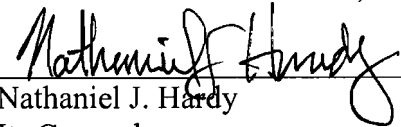
Permit. In the hope that the Commission will grant the request presented in these Comments, Diversified will file an application to license the STA Permit.

10. Conclusion. Diversified is mindful of the monumental effort and compromises that the Commission has made in attempting to finalize the DTV table. However, the Commission authorized Diversified to operate WCJB-DT with facilities greater than its replication facilities and WCJB-DT has operated with these facilities since August 2005. However, if the table were to be finalized as proposed in the Seventh FNPRM, these facilities would not be protected and viewers in the Gainesville market will lose a DTV signal that they had received for approximately 18 months. Diversified respectfully requests that the table be revised to protect WCJB-DT's facilities as authorized in the STA Permit – facilities that are "less" than those authorized in the Maximization Permit, but greater than the station's replication facilities now listed in the proposed final DTV table. This revision is administrative, will not injure any other licensee and will enable Diversified to provide better digital service to more viewers after the digital transition.

Respectfully submitted,

DIVERSIFIED BROADCASTING, INC.

By:


Nathaniel J. Hardy
Its Counsel

IRWIN, CAMPBELL & TANNENWALD, P.C.

1730 Rhode Island Avenue, N.W.
Suite 200
Washington, D.C. 20036-3101
(202) 728-0400

January 25, 2007

ATTACHMENT A

I. Current Proposed DTV Table of Allotments Information for WCJB-DT, Gainesville, Florida

Facility ID	State and City		NTSC	DTV								
			Chan	Chan	ERP (kW)	HAAT (m)	Antenna ID	Latitude (DDMMSS)	Longitude (DDMMSS)	Area (sq km)	Population (thousands)	Percent Interference Received
16993	FL	GAINESVILLE	20	16	91	287	74835	293211	822400	16264	707	0

IV. Facilities for WCJB-DT, Gainesville, Florida in Construction Permit BMPCDT-20060707AFH

Facility ID	State and City		NTSC	DTV								
			Chan	Chan	ERP (kW)	HAAT (m)	Antenna ID	Latitude (DDMMSS)	Longitude (DDMMSS)	Area (sq km)	Population (thousands)	Percent Interference Received
4328	FL	GAINESVILLE	20	16	343.6	254.4	75840	293211	822400	*	796	!

* Undetermined at the time of filing these Comments.

! To be provided by the Commission.

ATTACHMENT B

Hardy

From: Nate Hardy [nhardy@ictpc.com]
Sent: Friday, November 05, 2004 7:20 PM
To: 'form381@fcc.gov'
Cc: Carolyn Barrett (E-mail); Alan Campbell (E-mail)
Subject: Supplement to FCC Form 381 BCERCT-20041105BCM, WCJB-TV, Gainesville, Florida



30608L.002.v2.pdf

Sir or Madam-

Attached hereto is a letter supplement to Diversified Broadcasting, Inc.'s FCC Form 381, BCERCT-20041105BCM, for WCJB-TV, Gainesville, Florida.

If you have any questions regarding this supplement, please do not hesitate to contact me.

Nathaniel J. Hardy
Irwin, Campbell & Tannenwald, P.C.
P: (202) 777-3978
F: (202) 728-0354

IRWIN, CAMPBELL & TANNENWALD, P.C.

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NATHANIEL J. HARDY
DIRECT LINE: (202) 777-3978
nhardy@ictpc.com

November 5, 2004

VIA E-MAIL

form381@fcc.gov
Attn: Form 381 Correspondence
Federal Communications Commission
Media Bureau
Washington, D.C. 20554

Re: Form 381 - BCERCT-20041105BCM
WCJB-TV, Gainesville, Florida, Fac. ID No. 16993

Dear Sir or Madam:

Diversified Broadcasting, Inc. ("Diversified"), licensee of WCJB-TV, Gainesville, Florida, Fac. ID 16993, hereby submits this request, by and through its counsel, to the Media Bureau pursuant to the Electronic Mailbox Established for FCC Form 381, Public Notice, DA 04-3495 (released Nov. 4, 2004). It is Diversified's intention to operate the digital facilities of WCJB-TV pursuant to pending maximization application FCC File No. BPCDT-19991101AGS (the "Maximization Application"). A copy of the Maximization Application is attached hereto. Diversified respectfully requests that this letter be associated with WCJB-TV's FCC Form 381, BCERCT-20041105BCM, and that the technical information contained in the Maximization Application be added to any new table of service information created by the Commission, so as WCJB-TV receives interference protection for the facilities proposed in the Maximization Application.

Diversified will operate its post-transition DTV station at maximized facilities, as proposed in the Maximization Application. However, Diversified can only certify to authorized facilities on FCC Form 381. Because the Maximization Application is pending, Diversified cannot certify that it will operate pursuant to that application on FCC Form 381. Therefore, Diversified was forced to certify that it will operate its post-transition digital facilities based on its allotted replication facilities.

The Maximization Application remains pending due to a mutually exclusive NTSC proposal for a noncommercial education station on channel 16 at Marianna, Florida. See FCC File No. BPET-19960724KO (the "NCE Proposal"). The NCE Proposal has been dismissed,

WCJB(TV), Gainesville, Florida, Fac. ID 16993

FCC Form 381 Request

November 5, 2004

Page 2

clearing the way for the Maximization Application to be granted. However, the proponent of the NCE Proposal requested reconsideration of the dismissal.

As soon as the Maximization Application is granted, Diversified will amend its FCC Form 381 to specify that it will operate its post-transition digital station at maximized facilities. Therefore, Diversified respectfully requests that the Commission incorporate the technical information from the Maximization Application into any new table of service information that is developed. Specifically, the different values for the proposed maximized facility are as follows:

	Maximized Application Specifications	Current Technical Specifications
ERP:	1000 kW	91 kW
HAAT:	270 m	287 m

If you have any questions regarding this request, please do not hesitate to contact me.

Sincerely,

/Nathaniel J. Hardy/

Nathaniel J. Hardy

Attachment

30608L.001.v2.20041105.doc

Federal Communications Commission Washington, D.C. 20554 FCC 301	Approved by OMB 3060-0027 (September 2004) FOR FCC USE ONLY
APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION Read INSTRUCTIONS Before Filling Out Form	FOR COMMISSION USE ONLY FILE NO. BPCDT - 19991101AGS

Section I - General Information

1. Legal Name of the Applicant DIVERSIFIED BROADCASTING INC.		
Mailing Address 6220 N.W. 43RD STREET		
City GAINESVILLE	State or Country (if foreign address) FL	ZIP Code 32653 -
Telephone Number (include area code) 3523772020	E-Mail Address (if available) SINGRAM@WCJB.COM	
FCC Registration Number:	Call Sign WCJB-DT	Facility ID Number 16993
2. Contact Representative (if other than Applicant)		Firm or Company Name
Telephone Number (include area code)		E-Mail Address (if available)
3. If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Other		
4. Application Purpose <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="radio"/> New station <input type="radio"/> Major Change in licensed facility <input checked="" type="radio"/> Minor Change in licensed facility </div> <div style="width: 48%;"> <input type="radio"/> Major Modification of construction permit <input type="radio"/> Minor Modification of construction permit <input type="radio"/> Major Amendment to pending application <input type="radio"/> Minor Amendment to pending application <input checked="" type="checkbox"/> NA </div> </div> <p>(a) File number of original construction permit:</p> <p>(b) Service Type: <input type="radio"/> AM <input type="radio"/> FM <input type="radio"/> TV <input checked="" type="radio"/> DTV</p> <p>(c) Community of License: City: GAINESVILLE</p> <p>(d) Facility Type: <input checked="" type="radio"/> Main <input type="radio"/> Auxiliary</p> <p>If an amendment, submit as an Exhibit a listing by Section and Question Number the portions of the pending application that are being revised. [Exhibit 1]</p>		

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Legal

1. Certification. Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative	<input checked="" type="radio"/> Yes <input type="radio"/> No
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certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	
2.	<p>Parties to the Application.</p> <p>a. List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. Create a separate row for each individual or entity. Attach additional pages if necessary.</p> <p>(1) Name and address of the applicant and each party to the application holding an attributable interest (if other than individual also show name, address and citizenship of natural person authorized to vote the stock or holding the attributable interest). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and other entities with attributable interests, and partners.</p> <p>(2) Citizenship.</p> <p>(3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's equity/debt plus standard, etc.</p> <p>(4) Percentage of votes.</p> <p>(5) Percentage of total assets (equity plus debt).</p> <p>[Enter Parties/Owners Information]</p> <hr/> <p>b. Applicant certifies that equity and financial interests not set forth above are non-attributable.</p> <p style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A See Explanation in [Exhibit 2] </p>
3.	<p>Other Authorizations. List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest.</p> <p style="text-align: right;"> <input type="checkbox"/> N/A [Exhibit 3] </p>
4.	<p>Multiple Ownership.</p> <p>a. Is the applicant or any party to the application the holder of an attributable radio joint sales agreement or an attributable radio or television time brokerage agreement in the same market as the station subject to this application?</p> <p style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No [Exhibit 4] </p> <p>If "YES," radio applicants must submit as an Exhibit a copy of each such agreement for radio stations.</p> <p>b. Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules and cross-ownership rules.</p> <p style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No [Exhibit 5] </p> <p>Radio applicants only: If "Yes," submit an Exhibit providing information regarding the market, broadcast station(s), and other information necessary to demonstrate compliance with 47 C.F.R. § 73.3555(a).</p> <p>All Applicants: If "No," submit as an Exhibit a detailed explanation in support of an exemption from, or waiver of, 47 C.F.R. § 73.3555.</p> <p>c. Applicant certifies that the proposed facility:</p> <p>1. does not present an issue under the Commission's policies relating to media interests of immediate family members;</p> <p>2. complies with the Commission's policies relating to future ownership interests; and</p> <p>3. complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors.</p> <p style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 6] </p>
5.	<p>Character Issues. Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with:</p> <p>a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or</p> <p>b. any pending broadcast application in which character issues have been raised.</p> <p style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 7] </p>
6.	<p>Adverse Findings. Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any</p> <p style="text-align: right;"> <input type="radio"/> Yes <input type="radio"/> No See Explanation in </p>

	felony; mass media-related antitrust or unfair competition; fraudulent statements to another government unit; or discrimination.	[Exhibit 8]
7.	Alien Ownership and Control. Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 9]
8.	Program Service Certification. Applicant certifies that it is cognizant of and will comply with its obligations as a commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.	<input type="radio"/> Yes <input type="radio"/> No
9.	Local Public Notice. Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	<input type="radio"/> Yes <input type="radio"/> No
10.	Auction Authorization. If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable. An exhibit is required unless this question is inapplicable.	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A [Exhibit 10]
11.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No
12.	Equal Employment Opportunity (EEO). If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A.	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing CAROLYN BARRETT	Typed or Printed Title of Person Signing PRESIDENT, BROADCAST DIVISION
Signature	Date 10/27/1999

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

SECTION III-D - DTV ENGINEERING DATA

Complete Questions 1-5 of the Certification Checklist and provide all data and information for the proposed facility, as requested in Technical Specifications, Items 1-13.

Certification Checklist: A correct answer of "Yes" to all of the questions below will ensure an expeditious grant of a construction permit. However, if the proposed facility is located within the Canadian or Mexican borders, coordination of the proposal under the appropriate treaties may be required prior to grant of the application. An answer of "No" will require additional evaluation of the applicable information in this form before a construction permit can be granted.

1. The proposed DTV facility complies with 47 C.F.R. Section 73.622 in the following respects:	
(a) It will operate on the DTV channel for this station as established in 47 C.F.R. Section 73.622.	<input checked="" type="radio"/> Yes <input type="radio"/> No
(b) It will operate from a transmitting antenna located within 5.0 km (3.1 miles) of the DTV reference site for this location as established in 47 C.F.R. Section 73.622.	<input checked="" type="radio"/> Yes <input type="radio"/> No
(c) It will operate with an effective radiated power (ERP) and antenna height above average terrain (HAAT) that do not exceed the DTV reference ERP and HAAT for this station as established in 47 C.F.R. Section 73.622.	<input type="radio"/> Yes <input checked="" type="radio"/> No
2. The proposed facility will not have a significant environmental impact, including exposure of workers or the	

general public to levels of RF radiation exceeding the applicable health and safety guidelines, and therefore will not come within 47 C.F.R. Section 1.1307. Applicant must submit the Exhibit called for in Item 13.	<input checked="" type="radio"/> Yes <input type="radio"/> No
3. Pursuant to 47 C.F.R. Section 73.625, the DTV coverage contour of the proposed facility will encompass the allotted principal community.	<input checked="" type="radio"/> Yes <input type="radio"/> No
4. The requirements of 47 C.F.R. Section 73.1030 regarding notification to radio astronomy installations, radio receiving installations and FCC monitoring stations have either been satisfied or are not applicable.	<input checked="" type="radio"/> Yes <input type="radio"/> No
5. The antenna structure to be used by this facility has been registered by the Commission and will not require registration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely effect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7.	<input checked="" type="radio"/> Yes <input type="radio"/> No

SECTION III-D - DTV Engineering**TECHNICAL SPECIFICATIONS**

Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1.	Channel Number: DTV 16 Analog TV, if any 20
2.	Zone: <input type="radio"/> I <input type="radio"/> II <input checked="" type="radio"/> III
3.	Antenna Location Coordinates: (NAD 27) Latitude: Degrees 29 Minutes 32 Seconds 11 <input checked="" type="radio"/> North <input type="radio"/> South Longitude: Degrees 82 Minutes 24 Seconds 0 <input checked="" type="radio"/> West <input type="radio"/> East
4.	Antenna Structure Registration Number: 1035360 <input type="checkbox"/> Not Applicable <input type="checkbox"/> Notification filed with FAA
5.	Antenna Location Site Elevation Above Mean Sea Level: 20 meters
6.	Overall Tower Height Above Ground Level: 300 meters
7.	Height of Radiation Center Above Ground Level: 274 meters
8.	Height of Radiation Center Above Average Terrain : 270 meters
9.	Maximum Effective Radiated Power : 1000 kW
10.	Antenna Specifications: a. Manufacturer SHI Model 2200-10-BT-NF b. Electrical Beam Tilt: 0.5 degrees <input type="checkbox"/> Not Applicable c. Mechanical Beam Tilt: degrees toward azimuth degrees True <input checked="" type="checkbox"/> Not Applicable Attach as an Exhibit all data specified in 47 C.F.R. Section 73.685. d. Polarization:

[Exhibit 40]

☒ Horizontal ☐ Circular ☐ Elliptical

e. Directional Antenna Relative Field Values: ☐ Not applicable (Nondirectional)

[For a composite directional (not off-the-shelf) antenna, press the following button to fill in the relative field values subform.]
[Relative Field Values]

10e. Directional Antenna Relative Field Values

[Fill in this subform for a composite directional (not off-the-shelf) antenna, only.]

e. Directional Antenna Relative Field Values:

Rotation (Degrees): ☐ No Rotation

Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0		10		20		30		40		50	
60		70		80		90		100		110	
120		130		140		150		160		170	
180		190		200		210		220		230	
240		250		260		270		280		290	
300		310		320		330		340		350	
Additional Azimuths											

Relative Field Polar Plot

If a directional antenna is proposed, the requirements of 47 C.F.R. Sections 73.625(c) must be satisfied.
Exhibit required.

[Exhibit 41]

11. Does the proposed facility satisfy the interference protection provisions of 47 C.F.R. Section 73.623(a)? (Applicable only if **Certification Checklist** items 1(a), (b), or (c) are answered "No".) ☒ Yes ☐ No

If No, attach as an Exhibit justification therefore, including a summary of any previously granted waivers.

[Exhibit 42]

12. If the proposed facility will not satisfy the coverage requirement of 47 C.F.R. Section 73.625, attach as an Exhibit justification therefore. (Applicable only if **Certification Checklist** item 3 is answered "No".) [Exhibit 43]

13. **Environmental Protection Act. Submit in an Exhibit** the following: [Exhibit 44]

If **Certification Checklist** Item 2 is answered "Yes," a brief explanation of why an Environmental Assessment is not required. Also describe in the Exhibit the steps that will be taken to limit RF radiation exposure to the public and to persons authorized access to the tower site.

By checking "Yes" to **Certification Checklist** Item 2, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

If **Certification Checklist** Item 2 is answered "No," an Environmental Assessment as required by 47 C.F.R. Section 1.1311.

PREPARERS CERTIFICATION ON SECTION III MUST BE COMPLETED AND SIGNED.

SECTION III - PREPARER'S CERTIFICATION

certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name RYAN WILHOUR		Relationship to Applicant (e.g., Consulting Engineer) CONSULTING ENGINEER	
Signature		Date 10/25/1999	
Mailing Address 507 N.W. 60TH STREET SUITE C			
City GAINESVILLE		State or Country (if foreign address) FL	Zip Code 32607 - 22
Telephone Number (include area code) 3523323157		E-Mail Address (if available) RWILHOUR@FDT.NET	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits**Exhibit 40**

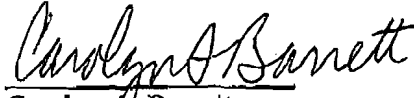
Description: SEE REFERENCED EXHIBIT

SEE EXHIBIT 3

Attachment 40

DECLARATION

I have reviewed the information in the preceding Comments regarding WCJB-DT, Gainesville, Florida, and declare that it is true and correct to the best of my knowledge, information and belief.



Carolyn A. Barrett
President
Diversified Broadcasting, Inc.

January 25, 2007